

B (row)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 065691-0208

Applicant: Robert AMSON et al.

Title: GENES INVOLVED IN THE MOLECULAR PATHWAYS OF
TUMOR SUPPRESSION AND/OR RESISTANCE TO VIRUSES

Appl. No.: 09/762,249

Filing Date: 02/05/2001

Examiner: Ram R. Shukla

Art Unit: 1632

SECOND LETTER REQUESTING ACKNOWLEDGEMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

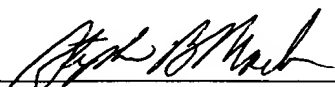
The undersigned has noted that Applicants' Form PTO/SB/08 submitted with an Information Disclosure Statement on August 24, 2001, has not been acknowledged by the Examiner. Attached please find copies of the previously filed Information Disclosure Statement, International Search Report and U.S. PTO date-stamped postcard. Also attached are copies of our Letter Requesting Acknowledgment filed on December 3, 2004 and U.S. PTO date-stamped postcard.

The Examiner's immediate attention to this matter is respectfully requested. Please return the initialed form to the undersigned as soon as possible.

Respectfully submitted,

Date: April 7, 2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5349
Facsimile: (202) 672-5399


Stephen B. Maebius
Attorney for Applicant
Registration No. 35,264



Atty. Dkt. No. 065691-0208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert AMSON et al.

Title: GENES INVOLVED IN THE MOLECULAR PATHWAYS OF TUMOR SUPPRESSION AND/OR RESISTANCE TO VIRUSES

Appl. No.: 09/762,249

Filing Date: 02/05/2001

Examiner: Ram R. Shukla

Art Unit: 1632

LETTER REQUESTING ACKNOWLEDGEMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In reviewing the above-captioned application file upon Allowance, the undersigned has noted that Applicants' PTO Form SB08 submitted with their Disclosure Statement on August 24, 2001, has not been acknowledged by the Examiner.

The Examiner is, therefore, requested to return the initialed form to the undersigned as soon as possible.

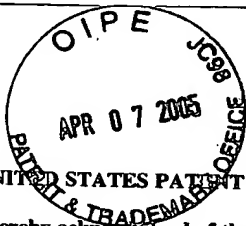
Respectfully submitted,

Date Apr. 2, 2004

By Stephen B. Maebius

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5349
Facsimile: (202) 672-5399

Stephen B. Maebius
Attorney for Applicant
Registration No. 35,264



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Receipt is hereby acknowledged of the following:

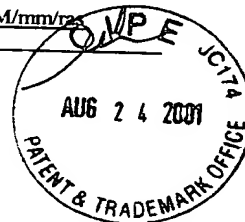
Applicant: Albert Amson et al.
Serial No.: 09/762,249
Filing Date: February 9, 2000
For: GENES INVOLVED IN THE MOLECULAR PATHWAYS OF TUMOR
SUPPRESSION AND/OR RESISTANCE TO VIRUSES

Dkt. No.: 065691-0208

1. Information Disclosure Statement
2. SB-08B with 9 references

Date Filed: August 24, 2001
Due Date: September 16, 2001

Return To: SBM/mm/rz
Inspected by: _____



BEST AVAILABLE COPY

10

21
FOLEY & LARDNER LLP
ATTORNEYS AT LAW

IN THE US PATENT AND TRADEMARK OFFICE

Title: GENES INVOLVED IN THE MOLECULAR PATHWAYS OF
TUMOR SUPPRESSION AND/OR RESISTANCE TO VIRUSES

Inventor(s): Robert AMSON et al.

Dkt. No. 065691-0208

Appl. No.: 09/762,249

SBM

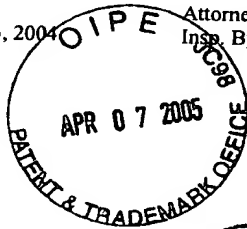
- Letter Requesting Acknowledgement (1 p.).

Due Date: N/A

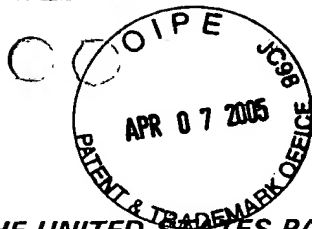
Date Filed: December 3, 2004

Attorney Initials: BAB/mdm

Insp. By: SNM



BEST AVAILABLE COPY



Atty. Dkt. No. 065691-0208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Albert Amson et al.
Title: GENES INVOLVED IN THE MOLECULAR PATHWAYS OF TUMOR
SUPPRESSION AND/OR RESISTANCE TO VIRUSES
Appl. No.: 09/762,249
Filing Date: 02/05/2001
Examiner: Unassigned
Art Unit: Unassigned

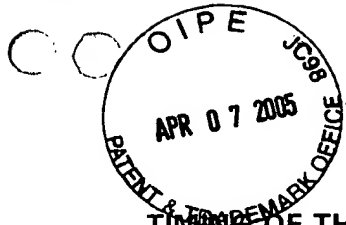
INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-SB-08B is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98. PCT/FR99/01479, filed 08/05/1998; 06/18/1999. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



Atty. Dkt. No. 065691-0208

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO-SB-08B was cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language documents has been provided where readily available. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 23, 2001

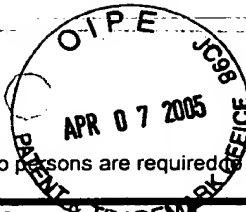
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5569
Facsimile: (202) 672-5399

By

Phillip J. Articola Reg. No. 38,819

for /

Stephen B. Maebius
Attorney for Applicant
Registration No. 35,264



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Date Submitted: August 23, 2001

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/762,249
Filing Date	02/05/2001
First Named Inventor	Robert Amson, et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	065691-0208

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A1	WIPO	97/22695	A2	TALERMAN et al.	06/26/1997		
	A2	WIPO	95/20654	A1	Willison, et al.	08/03/1995		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A3	ROBERT B. AMSON, ET AL.; "Isolation of 10 Differentially Expressed cDNAs in P53-Induced Apoptosis: Activation of the Vertebrate Homologue of the <i>Drosophila</i> Seven in Absentia Gene"; Proc. Nat'l Acad. Sci. USA, Vol. 93, pp. 3953-3957; April 1996	
	A4	ROBERT STRAUSBERG, Ph.D.; "EST. H. Sapiens cDNA Clone Image: 1556458"; Database GENBANK 'Online!'; Accession No. AA935282; June 23, 1998	
	A5	ROBERT STRAUSBERG, Ph.D.; "EST. H. Sapiens cDNA Clone Image: 1650253, Similar to T-complex Protein 1 (TCP-1) Epsilon Subunit", Database GENBANK 'Online!'; Accession No. AI022498; June 19, 1998	
	A6	MONA NEMANI et al.; "Activation of the Human Homologue of the <i>Drosophila</i> sina Gene in Apoptosis and Tumor Suppression"; Proc. Nat'l. Acad. Sci. USA, Vol. 93, pp. 9039-9042, August 1996	
	A7	JEAN-PIERRE ROPERCH, et al.; "Inhibition of Presenilin 1 Expression Is Promoted by p53 and p21WAF-1 and Results in Apoptosis and Tumor Suppression", Nature Medicine, Vol. 4, Number 7, pp. 835-838, July 1998	
	A8	DAVID ISRAELI, et al.; "A Novel p53-Inducible Gene, PAG608, Encodes a Nuclear Zinc Finger Protein Whole Overexpression Promotes Apoptosis"; The EMBO Journal, Vol. 16, No. 14, pp. 4384-4392, 1997	
	A9	GUSTAVO LINARES-CRUZ, et al.; "p21WAF-1 Reorganizes the Nucleus in Tumor Suppression"; Proc. Nat'l Acad. Sci. USA; Vol. 95, pp. 1131-1135, February 1998	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

RAPPORT DE RECHERCHE INTERNATIONALE

Demande internationale No

FR 99/01479

A. CLASSEMENT DE L'OBJET DE LA DEMANDE

CIB 7	C12N15/12	C12N15/86	C12N5/10	C07K14/82	C07K14/47
	C07K16/32	C12Q1/68	G01N33/50	A61K31/70	A61K38/17

Selon la classification internationale des brevets (CIB) ou à la fois selon la classification nationale et la CIB

B. DOMAINES SUR LESQUELS LA RECHERCHE A PORTE

Documentation minimale consultée (système de classification suivi des symboles de classement)

CIB 7 C12N C07K C12Q G01N A61K

Documentation consultée autre que la documentation minimale dans la mesure où ces documents relèvent des domaines sur lesquels a porté la recherche

Base de données électronique consultée au cours de la recherche internationale (nom de la base de données, et si réalisable, termes de recherche utilisés)

C. DOCUMENTS CONSIDERES COMME PERTINENTS

Catégorie *	Identification des documents cités, avec, le cas échéant, l'indication des passages pertinents	no. des revendications visées
X	WO 97 22695 A (FONDATION JEAN DAUSSET CEPH ; TALERMAN ADAM (FR); AMSON ROBERT (FR)) 26 juin 1997 (1997-06-26) abrégé page 1 -page 3 exemples 1,2 revendications 1-32 * remarquez que l'expression de gènes en amont, notamment p53, assure la régulation des gènes revendiqués ici *	16, 18, 21, 22
A	---	1-15, 17, 19, 20, 23-25
	-/--	

☒ Voir la suite du cadre C pour la fin de la liste des documents

☒ Les documents de familles de brevets sont indiqués en annexe

* Catégories spéciales de documents cités:

- "A" document définissant l'état général de la technique, non considéré comme particulièrement pertinent
- "E" document antérieur, mais publié à la date de dépôt international ou après cette date
- "L" document pouvant jeter un doute sur une revendication de priorité ou cité pour déterminer la date de publication d'une autre citation ou pour une raison spéciale (telle qu'indiquée)
- "O" document se référant à une divulgation orale, à un usage, à une exposition ou tous autres moyens
- "P" document publié avant la date de dépôt international, mais postérieurement à la date de priorité revendiquée

"T" document ultérieur publié après la date de dépôt international ou la date de priorité et n'appartenant pas à l'état de la technique pertinent, mais cité pour comprendre le principe ou la théorie constituant la base de l'invention

"X" document particulièrement pertinent; l'invention revendiquée ne peut être considérée comme nouvelle ou comme impliquant une activité inventive par rapport au document considéré isolément

"Y" document particulièrement pertinent; l'invention revendiquée ne peut être considérée comme impliquant une activité inventive lorsque le document est associé à un ou plusieurs autres documents de même nature, cette combinaison étant évidente pour une personne du métier

"&" document qui fait partie de la même famille de brevets

Date à laquelle la recherche internationale a été effectivement achevée

8 octobre 1999

Date d'expédition du présent rapport de recherche internationale

21/10/1999

Nom et adresse postale de l'administration chargée de la recherche internationale

Office Européen des Brevets, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Fonctionnaire autorisé

Galli, I

C.(suite) DOCUMENTS CONSIDERES COMME PERTINENTS

Catégorie	Identification des documents cités, avec, le cas échéant, l'indication des passages pertinents	no. des revendications visées
X	AMSON R B ET AL: "ISOLATION OF 10 DIFFERENTIALLY EXPRESSED CNDAS IN P53-INDUCED APOPTOSIS: ACTIVATION OF THE VERTEBRATE HOMOLOGUE OF THE DROSOPHILA SEVEN IN ABSENTIA GENE" PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF USA, vol. 93, no. 9, 30 avril 1996 (1996-04-30), pages 3953-3957, XP002032914 ISSN: 0027-8424 ---	16, 18, 21, 22
X	WO 95 20654 A (CANCER RES INST ROYAL ; WILLISON KEITH ROBERT (GB); KUBOTA HIROSHI) 3 août 1995 (1995-08-03) abrégé figure 8E revendications 1-28 ---	1, 8-20
X	DATABASE GENBANK 'Online! Accession No. AA935282, 23 juin 1998 (1998-06-23) STRAUSBERG R.: "EST; H. sapiens cDNA clone IMAGE:1556458" XP002104346 * comparez avec la séq. 2 du dossier soumis *	1, 8-14
X	DATABASE GENBANK 'Online! Accession No. AI022498, 19 juin 1998 (1998-06-19) STRAUSBERG R.: "EST; H. sapiens cDNA clone IMAGE:1650253, similar to T-complex protein 1 (TCP-1) epsilon subunit." XP002104347 * comparez avec la séq. 1 du dossier soumis *	1, 8-14
A	NEMANI M. ET AL: "ACTIVATION OF THE HUMAN HOMOLOGUE OF THE DROSOPHILA SINA GENE IN APOPTOSIS AND TUMOR SUPPRESSION" PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF USA, vol. 93, no. 17, 20 août 1996 (1996-08-20), pages 9039-9042, XP000611649 cité dans la demande --- -/--	1-25

RAPPORT DE RECHERCHE INTERNATIONALE

Demande Internationale No
PCT/FR 99/01479

C.(suite) DOCUMENTS CONSIDERES COMME PERTINENTS

Catégorie	Identification des documents cités, avec, le cas échéant, l'indication des passages pertinents	no. des revendications visées
A	<p>ROPERCH J.P. ET AL.: "Inhibition of presenilin-1 expression is promoted by p53 and p21/WAF1 and results in apoptosis and tumor suppression." NATURE MEDICINE, vol. 4, no. 7, juillet 1998 (1998-07), pages 835-838, XP002104344 cité dans la demande le document en entier</p> <p style="text-align: center;">---</p>	1-25
A	<p>ISRAELI D. ET AL.: "A novel p53-inducible gene, PAG608, encodes a nuclear zinc finger protein whose overexpression promotes apoptosis." EMBO J., vol. 16, no. 14, 1997, pages 4384-4392, XP002104345 le document en entier</p> <p style="text-align: center;">---</p>	1-25
A	<p>LINARE-CRUZ G. ET AL.: "p21WAF-1 reorganizes the nucleus in tumor suppression" PROC. NATL. ACAD. SCI. USA, vol. 95, no. 3, 3 février 1998 (1998-02-03), pages 1131-1135, XP002118217 le document en entier</p> <p style="text-align: center;">-----</p>	1-25